

MAHATMA GANDHI UNIVERSITY

(Abstract)

School of Distance Education LLM Course 2012- Introduction of the Syllabus of Regular LLM Course –Modifications-approved – order issued.

ACADEMIC A IV SECTION

U.O.No. 5849/3/2012/Acad

P.D. Hills, Dated: 15/10/2012

Read : U.O.No. 1802/SDE 11/4/2012 dated 04/04/2012

ORDER

As per item read above the University has decided to introduce the syllabus of 2 year regular LLM course for the Off Campus LLM Programme also.

In the light of above the Director School of Distance Education proposed the following modification for approval.

1. As the 3 year LLM course of Off Campus has been restructured in tune with the regular 2 year course, the fees levied from the students shall be regulated and fixed as Rs. 10,000/- per year.
2. Teaching practice included in the first year syllabus of LLM Course may be deleted from the first semester syllabus, instead the project work included may be externally evaluated with total marks of 100. The project work may be done with the supervision of an LLM degree holder with 5 years teaching experience and a certificate in this regard may be obtained while submitting the same for evaluation.
3. Evaluation process of the regular stream subjects comprising of 75 external and 25 internal marks may be modified to suit the Distance Education Stream of study. Since internal evaluation is not feasible in this stream the evaluation may be done out of 100 marks to all papers except the external project.
4. The BCI of India vide the letter No. BCID 1661/2012 (LE.Affi) dated 21/06/2012 informed that the LL.M. Course offered through Distance / Correspondence Course should not be considered a qualification for appointment to teach law to the students. This observation shall stand incorporated in the regulation of LLM Course of Off Campus stream.

The Vice Chancellor has approved the above modification in the Syllabus of LLM Course introduced in the Off Campus Stream from 2012-13 academic year onwards, exercising powers under chapter 3 section 10(17) of Mahatma Gandhi University Act, 1985.

Orders are issued accordingly.

**Sd/-
GEORGE K.C
ASSISTANT REGISTRAR III (ACAD)
For REGISTRAR**

To:

1. PS to VC/PVC
2. PA to Registrar /CE
3. EB.V
4. The Director, SDE
5. SDE – II/EI. 29
6. Stock File / File Copy

FORWARDED / BY ORDER

**Sd/-
SECTION OFFICER**

MAHATMA GANDHI UNIVERSITY

(Abstract)

LL.M. (Semester System) – Regulations, Scheme of exam and syllabus – Revised with effect from 2006-07 onwards - Approved – orders issued.

ACADEMIC A IV SECTION

No. Ac. A IV/3/788 (iv)/L.L.M./2006

Dated: P.D. Hills, 11/08/06

Read : 1. Minutes of the meeting of the Board of Studies in Law. (PG) held on 15.12.05.

2. U.O.No. Ac. A IV/3/788 (iii)/2006 dated, 09.06.06 approving the minutes of the meeting of the Board of studies in Law (PG) held on 05.05.06.

ORDER

As per the recommendations of the Board of studies held on 15.12.05, the LL.M. Degree Course has been semesterised with effect from 2006-07. The Vice-Chancellor, subject to ratification by the Academic Council, has approved the revised regulations, scheme of exam and syllabus of the LL.M. Degree Course (Semester System).

The revised regulations, scheme of exam and syllabus will be effective from 2006-07 academic year onwards.

Sd/-

**C. SOBHANA
ASSISTANT REGISTRAR (ACAD.I)
For REGISTRAR**

To:

1. Members of the BOS
2. Principal, Govt. Law College, Ernakulam
3. Director, SDE
4. PS to VC/PVC
5. PA to Registrar /CE
6. JR/DR/AR (Exam) – (LLM)
7. JR/DR/AR (Exam) – (Acad.)
8. Tabulation Section – (LLM)
9. EB Section concerned
10. Exam – Legal
11. Enquiry (U.O. Only)
12. Stock / File

APPROVED FOR ISSUE

Sd/-

SECTION OFFICER

REVISED REGULATION FOR THE LL.M DEGREE COURSE

2006-2007

(SEMESTER SYSTEM)

Objectives

The LL.M Degree Course offered in this institution intends (i) to train law students to critically analyze and evaluate the laws of different legal systems (ii) to produce experts specialised in legal spheres and (iii) to produce efficient academic lawyers.

1. Duration

The LL.M Degree course shall be of two years duration, consisting of four semesters. A semester shall consist of not less than 90 working days.

2. Specialisation

Specialisation (optionals) offered for LL.M course shall be as follows:

- i. Branch I -Commercial law
- ii. Branch II -Criminal law
- iii. Any other branch that may be added by the University in future.

3. Number of Seats

Number of students to be admitted to the course shall be limited to fifteen.

4. Eligibility

A candidate who has passed the LL.B Examination of the Mahatma Gandhi University, or any other University recognized as equivalent thereto, shall be eligible to be considered for admission.

5. Admission Procedure-and Fee Structure

Admission procedure and fee structure will be prescribed in the prospectus issued by the Government periodically.

6. Curriculum of LL.M Course

1. The first semester will consist of 3 compulsory papers, Teaching practice one Project Work.
2. The second semester will consist of 4 papers of the concerned optional.
3. The third semester will consist of 3 papers of the concerned optional.
4. The fourth semester will consist of one paper of the concerned optional, Dissertation and Viva-voce.

7. Practical examination I (Teaching Practice)

1. The student has to deliver a lecture on a topic assigned, before the Board of examiners constituted by the Principal.

2. Practical Examination II (Project)

Every student has to prepare a project on a topic duly assigned.

The Guidelines of practical examinations will be prescribed by the Principal.

8. Dissertation

Students promoted to the final semester shall register their topic of dissertation as per the procedure prescribed by the Principal at the beginning of the semester itself. Every candidate shall submit before the Principal three copies of the dissertation at least 10 days before the date of theory paper examination.

9. Viva-Voce

The Viva-Voce, will cover all subjects of the course of study as well as the dissertation work. Viva-voce Board constituted by the University shall consist of an external expert and 2 members of the faculty.

10. Internal Assessment

Marks for the internal assessment shall be awarded by the respective course teacher as per the following breakup.

a. Attendance—for every 5% of the attendance above the minimum prescribed 75 percent, one marks will be given.	5 Marks
b. Home assignment and class participation.	10 Marks
c. Test paper	10 Marks
Total	25 Marks

11. Eligibility to Register for Examination and Conditions for Promotions

Only students who secure the minimum attendance of 75% and above in a semester will be allowed to appear for the examination of that semester. A student who has satisfactorily completed the course of one semester and has registered for the examination of that semester shall be promoted to the next semester.

12. Pass minimum and classification of successful candidates

Those candidates who secure not less-than 50 percent of the aggregate marks of the papers of each semester and not less than 40 percent marks in each individual paper and also a separate minimum of 50 percent in each practical paper, dissertation and viva-voce shall be declared to have passed the LL.M examination.

Those candidates who secure not less than 60 percent of the marks for the written examinations of all semesters, Practical papers, Dissertation and Viva-Voce in the aggregate shall be placed in the first division. The other successful candidate- shall be placed in the second division.

13. Scheme of LLM Examination

Ist SEMESTER

Paper No	Name of the paper	Duration of external examination	Marks		Total
			External exam	Internal exam	
1.	Legal Education and Research Methodology	3 hrs	75	25	100
2.	Judicial Process	3 hrs	75	25	100
3.	Law and Social Transformation	3 hrs	75	25	100
4.	Practical examination. I teaching practice (wholly internal)			50	50
5.	Practical examination II project (wholly internal)			50	50
	Total				400

IInd SEMESTER (OPTIONAL PAPERS)

Branch I – Commercial Law

Paper No	Name of the paper	Duration of external examination	Marks		Total
			External exam	Internal exam	
1.	Foundations of Contractual Liability	3 hrs	75	25	100
2.	Law of Corporate Governance	3 hrs	75	25	100
3.	Law of Corporate Finance	3 hrs	75	25	100
4.	International Trade Law	3 hrs	75	50	50
	Total				400

Branch II – Criminal Law

IST Semester					
Paper No	Name of the paper	Duration of external examination	Marks		Total
			External exam	Internal exam	
1.	General Principles of Criminal Law	3 hrs	75	25	100
2.	Criminal Justice Administration	3 hrs	75	25	100
3.	Human Rights and Criminal Justice System	3 hrs	75	25	100
4.	Juvenile Delinquency	3 hrs	75	25	100
	Total				400

IIInd SEMESTER

Branch I – Commercial Law

Paper No	Name of the paper	Duration of external examination	Marks		Total
			External exam	Internal exam	
1.	Banking Law	3 hrs	75	25	100
2.	Insurance Law	3 hrs	75	25	100
3.	Intellectual Property Laws	3 hrs	75	25	100
	Total				300

Branch II – Criminal Law

Paper No	Name of the paper	Duration of external examination	Marks		Total
			External exam	Internal exam	
1.	Criminology	3 hrs	75	25	100
2.	Penology	3 hrs	75	25	100
3.	Socio-Economic Offences	3 hrs	75	25	100
	Total				300

IVth SEMESTER

Branch I – Commercial Law

Paper No	Name of the paper	Duration of external examination	Marks		Total
			External exam	Internal exam	
1.	Information Technology Law	3 hrs	75	25	100
2.	Dissertation	-			200
3.	Viva-Voce	-			100
	Total				400

Branch II – Criminal Law

Paper No	Name of the paper	Duration of external examination	Marks		Total
			External exam	Internal exam	
1.	Medical Jurisprudence and Forensic Science	3 hrs	75	25	100
2.	Dissertation				200
3.	Viva – Voce				100
	Total				400

SYLLABUS FOR THE LL.M DEGREE COURSE

FIRST SEMESTER PAPER - I

Legal Education and Research Methodology

1. **Objectives of legal education-** Legal education in India-evolution-role of agencies regulating legal education - attempts for reform - recommendations of different Commissions and Committees. Comparative perspectives, U.K., U.S.A- and Japan.
2. **Teaching methods-** lecture-case-problem discussion -tutorial and clinical.
3. **Legal research** - objectives- legal research and law reform – tools of research techniques - doctrinal-non doctrinal and socio legal approaches-relevance of social science research methods in law.
4. Selection and formulation of research problem- Hypothesis- Sampling and its role-research design.
5. **Sources of data collection** - observation, questionnaire and schedule, interview and. case study-surveys-analysis- interpretation and legal writing.

Suggested Readings

1. M.P. Jain - Outlines of Indian Legal History, Ch.31
2. Law Commission of India - XIV Report 1958, Vol.1, Ch.25
3. U.G.C - Report of the Curriculum Development Centre in Law 1989
4. S.K. Agarwala (Ed.) - Legal Education in India.
5. Glanville Williams - Learning the Law(Excluding Chapters VII, XVI and XXIII)
6. International Legal Centre - Legal Education in a Changing Society
7. Packer and Ehrlich - New Directions in Legal Education
8. Journal of Legal Education - Vols. 4,5,10,26,27,30,32,34 and 35
9. Journal of Bar council of India - Vols. 4,7,and 9
10. Indian Bar Review - Vol.13
11. Columbia Law Review - Vol. 76(1976)

- | | |
|--------------------|-------------------------------------|
| 12. Goode and Hatt | - Methods in Social Research |
| 13. Christie | - Legal Writing and Research Manual |
| 14. Peter Clinch | - Using a Law Library |
| 15. ILI | - Legal Research Methodology |

Paper II

JUDICIAL PROCESS

1. Doctrine of Precedent-Ratio decidendi and Obiter Dictum-methods of determining ratio-Stare decisis and its exceptions-precedent in common law and Civil law Countries.
2. Logic and growth in law (both under Code system and. Common law)-Categories of illusory reference-legal reasoning (judicial as well as juristic). New rhetorics- role of judicial concepts and judicial discretion in judicial reasoning.
3. Nature of judicial process--search for the legislative- intention-methods. of judicial interpretation-role of Philosophy, logic, history tradition and sociology - judge as legislature-judicial creativity and its limitations.
4. Judicial process in Indian legal system- operation of precedent in India-Judicial process in a statue free zone and judicial: process on statutory materials-Judicial activism vis-a-vis judicial self restraint.
5. Prospective overruling- basic structure theory and limitations to constitutional amendments.

Suggested Readings

- | | |
|----------------------|--|
| 1. Roscoe Pound | - Juris prudence, Parts 3,5,6 |
| 2. C.K. Allen | - Law in the Making Chs. 3,4 |
| 3. Julius Stone | - Legal System and Lawyer's reasonings, Chs.6, 7 & 8 |
| 4. Julius Stone | - Social Dimensions of Law/ and Justice, Ch.14 (Part I & II) |
| 5. Von Mehren | - The Civil Law system, Ch. 16 |
| 6. Jerome Hall (Ed.) | - Readings in jurisprudence, Chs-.9,12,13 & 24. |

7. Cardozo - The nature of Judicial process
8. Rajeev Dhavan - The Supreme Court of India: A Socio-legal Critique of its Juristic Techniques (1977), Ch.1
9. Laxminath - Precedent in the Indian legal system
10. Rupert Cross & J. W.Harris - Precedent in English law
11. Jerzy Wroblewski - The Judicial application of law (Edited by Z. Bankowski and N. Mac Cormick) (1992). Chs. XII & XIII
12. Julius Stone - Precedent and the law, Butterworths (1985)
13. Maxwell - Interpretation of statutes
14. N.K. Jayakumar - Judicial process in India limitations and Leeways

PAPER – III
LAW AND SOCIAL TRANSFORMATION

1. Concept of law and legal system - Relationship between law; and society-law as an instrument of social change.
2. Historical and evolutionary theories. Sociological jurisprudence- realistic jurisprudence - law and social change-utilitarianism, Liberalism, in law - Marxian and post Marxian approaches to law.
3. Gender based social conflict and law - social and economic status of women - role of law gender based violence - law and its enforcement-empowerment of women - feminist critique of Indian jurisprudence.
4. Law and poverty-access to justice - legal aid to the poor and indigent-objectives and programmes - legal literacy and law reform - Agrarian reform - latest constitutional perspectives-untouchability.
5. Judicial activism and public interest litigation – Recent trends in judicial dispute settlement.

Suggested Readings

- | | | |
|----------------------|---|---|
| 1. Roscoe Pound | - | Introduction to Philosophy of Law, Chs. 1,2 & 3 |
| 2. Roscoe Pound | - | Jurisprudence, Vol.I Parts I & II |
| 3. Bodenheimer | - | Jurisprudence, Part I |
| 4. W. Friedmann | - | Legal Theory |
| 5. W.Friedmann | - | Law in a Changing Society |
| 6. Julius Stone | - | Social Dimensions of Law/ and Justice Ch.1 |
| 7. B.Sivaramayya | - | Inequalities and the Law |
| 8. Upendra Baxi | - | The Crisis of Indian Legal System, Chs.1,2,3,8,& 10 |
| 9. Upendra Baxi | - | Law and Poverty, Chs. 1,2,3,5,19,20 & 21 |
| 10. P.K.Gandhi (Ed.) | - | Social Action through Law. Department of Law-Special issue (1984)
Cochin University Law Review, pp 43 3-5 46 |
| 11. Finnis J.M. | - | Natural Law & Natural Rights, Oxford |

12. Lon. L. Fuller. - The Morality of Law
13. H.L.A Hart - The Concept of Law
14. M.D.A Freeman - Lloyd's Introduction to Jurisprudence
15. John Rawls - A Theory of justice
16. Robert F. Meagher - Law and Social Change- Indo-American Reflections.

SECOND SEMESTER (Optional Papers)
Branch I -Commercial Law
Paper I

Foundation of Contractual Liability

1. Basis of contractual obligation - historical evolution - Theories of contractual liabilities- modern developments - contract by public authorities.
2. Contractual terms.
3. Exemption and exclusion
4. Specific relief
5. Damages

Suggested Readings

1. Cheshire Fifoot - The Law of Contract.
2. Bollock and Mulla - The Indian Contract and. Specific Relief Act
3. Anson's - Law of Contract
4. P.S.Atiyah - An introduction to the Law of Contracts
5. P.S.Atiyah - The Rise and fall of Freedom of Contract
6. G.H. Tritel - Law of Contracts
7. Avtar Singh - The Law of contracts
8. Desai - Law of Contract
9. M.Krishnan Nair - The Law of Contracts
10. Chitty on Contract -
11. Jill Poole - Text book on Contract Law.

Paper II

LAW OF CORPORATE GOVERNANCE

1. Corporate organs and distribution of Corporate Power-General meetings, Board of Directors, Company Officers.
2. Duties and responsibilities of Corporate Management -Members, Creditors, employees, and social responsibility.
3. Remedies against Corporate abuses - investor protection locus stand; breach of fiduciary and statutory duties enforcements National Company Law- Tribunal and Appellate Tribunal.
4. Competition Law/- Meaning, purpose and development of. Competition Law; - Competition Policy - its necessity in the changing 'scenario.
5. Control over Market dominance - controls over mergers amalgamation and takeovers. Anti-competitive agreements, Enforcement agencies under Competition. Law Establishment powers and functions.

Suggested Readings

- | | |
|---------------------------------------|---|
| 1. Brian R.Chettings | - Company Law Theory Structure and Operation. |
| 2. C.M.Schmithoff | - Palmer's. Company Law; |
| 3. Pennington's | - Principles of Company Law |
| 4. L.C.B Grower's | - Principles of Modern Company Law |
| 5. A.Ramaiya | - A guide to the Companies Act |
| 6. Brenda Hannigan | - Company Law |
| 7. John Lowry, Alan Dignan | - Company Law; |
| 8. Indian Companies Act., 1956 | - |
| 9. Mark Furse | - Competition Law of the U.K. and E.C |
| 10. Philip Clarke and Stephen Corones | - Competition Law; and Policy |

Paper III

1. Law of Corporate Finance -Meaning, Importance and scope of Corporate Finance. Capital needs - Capitalization working capital securities borrowings - deposit debentures- Constitutional perspectives - the entries. 37, 43, 44, 45, 46, 47, 52, 82, 85 of List I Union List entry 24 of List II, State List.
2. Equity Finance - Share Capital, Prospectus, Information disclosure.
3. Debit Finance - Debentures - Creation of-Charges, Mortgages.
4. Protection of investors- Individual Share Holders right-Corporate Membership right- derivative actions, Qualified Membership right, conversion, consolidation and re-organization of shares, Transfer and Transmission of Securities Dematerialization of Securities - Protection during amalgamation. Merger and take-over, Budgetary Controls-control by SEBI.
5. Corporate Fund Raising - IDR, ADR, GDR, Euro-issues-Public financing Institutions - IDBI, ICICI, IFC and SFC, Mutual Fund and other collective investment schemes, Institutional investment-LIC, UTI, and Banks. FDI and NRI investment - Foreign Institutional investment(IMF and World Bank)

Suggested Readings

- | | |
|----------------------------|---|
| 1. Alistair Hondson | - The Law of Financial derivatives |
| 2. Farrar's | - Company Law |
| 3. Gilbert Harold | - Corporation Finance |
| 4. Grower's | - Principles of Modern Company Law |
| 5. Austenn P.P | - The Law of Public Company Finance |
| 6. R.M. Gcode | - Legal Problems of Credit and Security |
| 7. Will's Ferrain | - Company Law and Corporate Finance |
| 8. Altman and Subrarnanyan | - Recent Advances in Corporate finance |
| 9. G.C.Kuchhal | - Corporation Finance, Principles and Problems |
| 10. S.D.Kulshreshtha | - Government Regulation of Finance Management of Private Corporate Sector in India. |

Paper IV

INTERNATIONAL TRADE LAW

1. Meaning of international trade- Public international law relating to trade-WTO-IMF and World Bank-GATT- Private law relating to international trade-agencies for promoting unification to trade laws-UNCITRAL-UNIDROIT-UNCTAD, ICC & IMO
2. Agency in international Trade-factors and mercantile agent-convention on commercial-agents- insurance, brokers- forwarding agents and loading brokers.
3. Contract for carriage of goods - Carriage of goods by Air, Sea, Land and Rail - Contract for international sale- CIF and FOB contracts.
4. Financing International Trade - Government incentives, FT (D&R) Act 1996 and FEMA 2000.
5. Dispute Settlement-Mediation in Conciliation and Arbitration-WTO-Dispute Settlement Mechanism.

Suggested Readings

- | | |
|------------------------|---------------------------------------|
| 1. Clive M Schmitthoff | - International Trade, Law |
| 2. Charles D. | - Sale of Goods carried by Sea |
| 3. Ademuni Odeke | - Law of International Trade |
| 4. Bichawat R.S | - Law of Arbitration and Conciliation |
| 5. Charley, Janetle | - International Trade Law |
| 6. Ivamy, E.R. Hardy | - Carriage of goods by sea |
| 7. David.M.Sarron | - CIF- and FOB contracts |

BRANCH II- CRIMINAL LAW

PAPER 1

GENERAL PRINCIPLES OF CRIMINAL LAW

1. Substantive Criminal Law - Elements of Crime- Actus reus- Mens.rea.
2. Welfare offences-Exclusion of mens rea - white collar crimes-strict Responsibility- Joint Responsibility.
3. Inchoate crimes - conspiracy, abetment, Attempt-incitement- Indian and English law.

4. General Defences – Excusable - Justifiable.
5. Punishment-Different kinds of Punishment-sentencing policy.

Suggested Readings

- | | |
|-------------------------|--|
| 1. Glanville Williams | - Text Book of Criminal Law |
| 2. Jerome Hall | - General Principles of Criminal Law |
| 3. R. Cnigam | - Law of Crimes in India Vol.I |
| 4. Kenny | - Outlines of criminal law |
| 5. Edwards | - Mens Rea in Statutory offences |
| 6. P.R.Glazebrook (Ed.) | - Reshaping the criminal law |
| 7. Collin, Howard | - Strict Responsibility |
| 8. Law Commissiom | - 42 Report and the 14 th Report Vol.II |
| 9. Smith & Hogen | - Criminal Law |
| 10.Rusell Heaton | - Criminal Law |

Paper II

CRIMINAL JUSTICE ADMINISTRATION

1. Hierarchy of Courts and other Agencies, Mode of Appointments, Training, Hierarchical setup.
2. Police System and prosecution system, Recruitment and training, Hierarchical setup,
3. Pre-trial procedures-arrest and questioning of, the accused, the rights of the accused, the evidentiary value of statements/ articles seized/collected by the Police, right to counsel, role of the prosecutor and the judicial officer in Investigation.
4. Trial Procedures- the Accusatory system of trial and the inquisitorial system of trial-role of the Judge the prosecutor and defence attorney in the trial-admissibility and in admissibility of evidence-expert evidence appeal of the Court in awarding appropriate punishment.
5. Correction and after care services-Institutional correction of the offenders-Rehabilitation of Prisoner-prison reforms.

Suggested Readings

- | | |
|---|---------------------------------------|
| 1. Celia Hampton | - Criminal Procedure |
| 2. Wilkins and Cross | - Outlines of the law of Evidence |
| 3. Archhold | - Pleading, Evidence and Practice |
| 4. Sarkar | - Law of Evidence |
| 5. K.N. Chandrasekharan Pillai
(Ed.) | - R.V. Kelkar's of Criminal Procedure |
| 6. Sandors & Young | - Criminal Justice |
| 7. Eastern and Piper | - Sentencing and punishment |
| 8. Lucia Zodner | - Criminal Justice |
| 9. Andrew Ashworth Mike
Redmayne | - The Criminal Process |

Paper III

HUMAN RIGHTS AND CRIMINAL JUSTICE SYSTEM

1. The concept of Human Rights-origin and development International movements for the protection of human rights-U.N charter and its agencies.
2. Protection of human rights under the Indian Constitution-Public Interest Litigation and Criminal Justice.
3. Implementation of Human rights in India - Role of Judiciary.
4. Human Rights & Weaker Sections - Women and Children - Analysis of statute Law.
5. Human Rights of arrested persons, under trials and prisoners.

Suggested Readings

1. Forest Martin et.al. (ed.) International Human Rights Law and Practice- Part I. and II of. cases, treaties and materials.
2. Vijay Chitinis, et.al (ed.)- Human Rights and the Law -National and Global Perspective.
3. Basu D.D. Human Rights in Constitutional Law.
4. Singh Sehgal B.P-Human Rights in India - Problems and Perspectives.
5. Protection of Human Rights in Criminal Justice administration-- A study by Prof. Upendra Baxi and Manjula Batra.
6. L.H. Leigh-Protection of Human Rights in Criminal Procedure. The British Experience.

Paper IV

JUVENILE DELINQUENCY

1. Concept of juvenile delinquency-Factors responsible for Juvenile Delinquency- Nature and Extent of Juvenile Delinquency in India.
2. Concept of Juvenile Justice-origin and development- nature and Extent of Juvenile Justice in India-other countries.
3. Legislative Approaches - Juvenile Justice Act 1986-Juvenile Justice Care and Protection of Children Act-2000

4. Children's Court-Probation-Children's home and schools.
5. After care - Rehabilitation.

Suggested Readings

1. Barry Krishery James F.Austin - Reinventing Juvenile Justice
2. N.K.Chhakrabarti - Juvenile Justice
3. R.N.Choudhry - Law Relating to Juvenile Justice in India.
4. Sheldon, Glusk - Unraveling Juvenile Delinquency
5. Sethna - Society and the Criminal
6. The Juvenile Justice (Care and Protection of children Act, 2000)
7. Juvenile Justice Act, 1986.

III Semester

BRANCH I - COMMERCIAL LAW

PAPER I BANKING LAW

1. Introduction- Different kinds of banks and their functions, Multifunctional banks-Growth and Legal issues.
2. Law relating to. Banking Companies in India-Controls by Govt. and its agencies-the RBI as the Central Bank-suspension and winding up-contract between banker and customer -their rights and duties.
3. Relationship of Banker and customer - Legal character-Contract between banker and customer - Banking duty to customers-consumer protection and banking as service.
4. Negotiable Instruments - Meaning and Kinds - Transfer and Negotiations - Holder and Holder in due course - presentment and payment-Liabilities of Parties.
5. Recent Trends of Banking system in India- /automatic teller machine and use of internet- Travellers cheque- smart cards-credit cards.

Suggested Readings

1. Bani A - Review of current Banking theory and practice
2. Pagets - Law of Banking
3. M.L.Tannan - Tannan's Banking Law and Practice in India 1997)
Two volumes
4. L.C.Goyle - The-Law of Banking and Bankers.
5. K.C.Shekar - Banking Theory and Practice in India.
6. Amalesh Banerjee & S.K.Singh (eds.) - Banking and Financial Sector Reforms in India, 7 volumes.
7. Raj Kapila & Uma Kapila (eds.) - Banking and Financial Sector Reforms in India, 7 volumes.
8. Good Hart - The Central Bank and the Financial System
9. K.Subramanyan - Banking Reforms in India.
10. Janaki Raman - Committee Report on securities operation of Banks and Financial institutions (1993)
11. Narasimham - Committee report on the Financial System 1991), Second Report (1999).

Paper II

INSURANCE LAW

1. Introduction- Nature; of insurance contract-various kinds of insurance, proposal, policy, parties, consideration, need for Utmost good faith, insurable interest, indemnity.
2. General Principles of Law of insurance-The Risk-Commencement, Attachment and duration, settlement of claim and subrogation-Effect of war upon policies.
3. Indian Insurance Law - General insurance Act 1938 and insurance Regulatory Authority Act, 2000

4. Marine insurance- Term of insurance contract- express and implied conditions in the marine insurance policy-Risk covered by the policy and expected perils-proximate cause of loss-avoidance of policy.
5. Concept of average, in Insurance contract- Settlement of-insurance claims.

Suggested Readings;

1. John Hanson and Christopals, Henby - All risks property Insurance
2. Peter Mac Donald - Eggers and Patric Poss, Good Faith and Insurance Contracts.
3. Banerjee - Law of Insurance
4. Mitra B.C. - Law Relating to Marine insurance.
5. Birds - Modern Insurance Law;
6. Edwen. W.Patterson - Cases and Materials on Law; of Insurance
7. Arnold - The Law of Marine Insurance and Average, Vol. I & II
8. The (Indian) Marine Insurance Act 1963.

Paper III

INTELLECTUAL PROPERTY LAWS

1. Concept of "intellectual Property- Kinds of Intellectual Property Importance of" intellectual property, rights and the need for their, legal protection.
2. Copyright-Subject matter of copy rights-rights conferred by copyright-Fair use. Infringement and remedies,
3. Patents- Patentable subject matters- patentability criteria Patent' granting procedure-Rights-conferred-infringement and remedies.
4. Definition of Designs concept, of novelty or- originality-items not protected under Design-Functional Designs.
5. Trademarks and passing off-Registration of -Trade Marks -Rights conferred Infringement - and remedies.

6. International Protection of Intellectual property-Overview; of International Conventions- Berne convention WIPO Treaties. 1996. Paris Conventions-TRIPS Agreement Madrid Agreement on Marks-1989 Protocol-Hague
7. Agreement on Design-India's position vis-à-vis International conventions and Agreements.

Suggested Readings

1. Cornish W.R. - Intellectual Property; Patents, Copyright, Trade Marks and allied Rights.
2. P.M.Bakshi - Intellectual property, Indian Trends
3. P.Narayanan - Intellectual Property Law
4. P.Narayanan - Law of Trade Marks and Passing off

Statutes and Agreements

1. The Patent Act,1970
2. The Design Act, 2000
3. The Trade Marks Act, 1999
4. The Copy Right Act 1957
5. TRIPS Agreement
6. GATT

Branch II Criminal Law

Paper I CRIMINOLOGY

1. Criminology - Nature, scope and relevance in criminal justice Administration.
2. Schools of Criminology- classical- neoclassical- positive- cartographic or-ecological psychiatric and psychological – socialist, and sociological.
3. Causation of crime-different theories of causation-biological and psychological factors- mental deficiencies- environmental factors-economic and social factors.
4. Alcoholism-drug trafficking Individual and collective violence

5. Social institutions and crime-family, school-religion-mass media of communications like, newspaper-film and Television- Political and cultural organizations.
6. Victim and criminal justice.

Suggested Readings

- | | |
|--------------------------|-------------------------------|
| 1. Vernon Fox | - Introduction to Criminology |
| 2. Sutherland and Cressy | - Criminology |
| 3. W.C.Reeklers | - Crime problem |
| 4. Caldwell | - Criminology |
| 5. Barners & Teeters | - New Horizons in Criminology |
| 6. Sethna | - Society and the Criminal |
| 7. Chris Hale, et.al | - Criminology |
| 8. Ahmad Siddique | - Criminology |

Paper II

PENOLOGY

1. The concept – of punishment-Methods of punishment-corporal and Non-corporal punishments – compensation – imprisonment – solitary – confinement - capital punishment alternatives to punishment individualization of punishment.
2. Sentencing Process Role of Judiciary- Determinate and Indeterminate¹ sentencing
3. Prison System- history and development -prison reform -judiciary and prison administration,
4. Correctional and rehabilitative techniques-prison system probation institutions of correction-drug addiction and correction-Evaluation of the provisions in NDPS to contain drug menace
5. Administration of criminal justice-Crime problem and crime prevention-drug addiction and terrorism-enforcement machinery special powers for dealing with drug menace and terrorism-Judicial Supervision of criminal justice system.

Suggested Readings

1. Water Moherly - Ethics of punishment
2. Shah - Probation Services in India
3. Galliber and M Cartney - Criminology-
4. Bhattacharya - Prisons
5. Cross - The English Sentencing System
6. B.S.Chopra - Quantum of Punishment
7. Stewart - A modern View of Criminal Law
8. Fitz Gerald - Criminal Law and Punishment

Paper III

SOCIO – ECONOMIC OFFENCES

1. The concept of White Collar crimes and Socio-economic Offences-Origin and development in the Indian context.
2. Prevention of Socio-economic Offences-The – Preventive machinery designed in statutes like FEMA, FERA, Indian income Tax Act, NDPS Act.
3. Trial and punishment of Socio-economic Offences-special provisions-Deviation from the general rules of procedure.
4. Corruption in Government and Public Services- Machinery designed to prevent such corruption.
5. Corruption of politicians - Machinery to deal with it.

Suggested Readings

1. Sutherland - White Collar Crimes
2. 47th Report of Law Commission - Socio-economic Offences
3. Gilber Meier - White Collar Crimes-Offences in Business, politics and profession.

IVth Semester

Branch I - Commercial Law Information Technology Law

1. The origin and development of Information Technology Law, Object, Extent and Scope of the information Technology Act, 2000
2. Electronic Evidence-Global Information Technology Agreement-Electronic Governance-Elements records.
3. Digital signature-The relevance of Digital Signature in business transactions-Domain names and the law-Registration of Domain names-Adjudication of Domain name disputes.
4. Authorities under the information Technology. Act, 2000 Offences and Penalties under the Act.
5. Internet and the law-cyber crimes- legal measure to prevent cyber piracy-internet and Protection/of copy rights. Application of patents to computer Technology and digital environment-Business Method Patents and software patents.

Suggested Readings

1. Kamath, Nandan (ed) - Law relating to computers, internet, and E-commerce, A guide to Cyber Laws and the Information technology Act, 2000
2. Varma S.K. and Raman Mittal (eds) - Legal Dimensions of Cyber Space
3. Ian Lloyd - Information Technology Law.

IVth semester Branch II Criminal Law

MEDICAL JURISPRUDENCE AND FORENSIC SCIENCE

1. Medical Jurisprudence-Definition-History and development
2. Medical Negligence-Ethical code for Medical Professionals
3. Forensic Science- Origin and development. Importance of Forensic Science in Criminal Investigation.
4. Scientific examination of documents-experts and Scientific evidence. Forensic Ballistics-Finger Printing/DNA Printing Polygraph-Voice identification.
5. Judiciary and scientific evidence-Evidentiary, value of conclusions of medical professional.

Suggested Readings:

1. T.D.Dogra & Abhijit Rudra - Lyonis Medical Jurisprudence and Toxicology
2. B.S.Nabar - Forensic Science in Crime Investigation
3. Dr. R .A. Sharma - Forensic Science in Criminal Investigation and Trails
4. Kaushalendra Kumar - Forensic Ballistics in Criminal Justice.